

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SHARON BOBBITT, Individually and
On Behalf of All Others Similarly
Situated,

Plaintiffs,

v.

Case No. 04-12263-PBS

ANDREW J. FILIPOWSKI, et al.,

Defendants.

STATUS REPORT BY ROWECOM TRUSTEE

Christopher J. Panos, Trustee of the Sabine, Inc. Liquidating Trust, (the "Trustee") hereby reports on the status of the matters styled *Christopher J. Panos, Trustee of the RoweCom Liquidating Trust v. Jude M. Sullivan*, Adversary Proceeding No. 05-1019-JNF and *James Boles, as Liquidating Trust Representative of the Enivid, Inc. Liquidation Trust v. Andrew J. Filipowski, Paul Humenansky, Michael Cullinane and Jude M. Sullivan*, Adversary Proceeding No. 04-01439 (the "Bankruptcy Proceedings") as directed by this Court at a status conference conducted on January 3, 2008.

On or about November 1, 2007 in connection with the Bankruptcy Proceedings, the Trustee and James Boles, The Liquidating Trust Representative, as Liquidating Trust Representative of the Enivid, Inc. Liquidation Trust, filed a form of settlement agreement with a motion for approval with the Bankruptcy Court (the "Agreement"). The Agreement was not signed, and in a footnote the parties informed the Bankruptcy

Court that Mr. Boles had not finally approved the Agreement. The Bankruptcy Court subsequently indicated that it would schedule a hearing only after the Agreement was finalized and signed by all parties. As of this date, the parties have not executed or filed settlement papers with the Bankruptcy Court resolving the Bankruptcy Proceedings.

Both Trustees and both Committees have approved the form of a revised form of settlement agreement and related papers that have been provided to counsel to the defendants and insurers. Subject to resolution of one issue involving defense counsel accounting for pre-bankruptcy petition retainers, the Trustee understands that the form of that agreement would be acceptable to all parties. The Trustee further understands that there are active discussions attempting to resolve certain issues associated with the accounting. Federal Insurance Company has also proposed a language change in its agreement with its insureds. The Trustee understands that all parties are working to address that request.

Finally, the Trustee has filed a letter requesting a briefing schedule and hearing date for the appeal of the Bankruptcy Court's order regarding the use of insurance proceeds to fund a settlement in the captioned matter.

January 17, 2008

Respectfully submitted,

CHRISTOPHER J. PANOS, TRUSTEE
OF THE SABINE, INC. LIQUIDATING TRUST,

By his Attorneys,

Craig and Macauley Professional Corporation

/s/ Joseph J. Koltun

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